

811 KAR 1:110. Timing and records.

RELATES TO: KRS 230.215, 230.260(1)

STATUTORY AUTHORITY: KRS 230.215(2), 230.260(3)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 230.215(2) and KRS 230.260(3) authorize the Authority to promulgate administrative regulations prescribing the conditions under which horse racing shall be conducted in Kentucky. This administrative regulation establishes requirements for timing of races and records.

Section 1. Timing Races. (1) The time of a heat shall be taken by:

(a) One (1) timer on an approved electronic timing device; or

(b) Three (3) timers using timing devices.

(2) The time shall be placed in the record in minutes, seconds, and fifths of seconds, and upon the decision of each heat, the time shall be publicly announced or posted.

(3) An unofficial timing shall not be announced or admitted to the record, and if the timers malfunction, time shall not be announced or recorded for that heat.

Section 2. Error in Reported Time. If an error in the record is alleged regarding the time of a horse, the time questioned shall not be changed except upon the sworn statement of the judges and timers who officiated the race.

Section 3. Track Measurement Certificate. An association shall file with the Authority a certificate from a duly licensed civil engineer or land surveyor attesting that the track has been measured from wire to wire three (3) feet out from the pole or inside hub rail, and certifying in linear feet the result of the measurement. If there is a change or relocation of the hub rail, the track shall be measured and recertified.

Section 4. Time for Lapped on Break. The leading horse shall be timed and his time only shall be announced. A horse shall not obtain a win race record by reason of the disqualification of another horse unless the horse's actual race time can be determined by photo finish or electronic timing.

Section 5. Time for Dead Heat. In case of a dead heat, the time shall constitute a record for the horses making a dead heat and both shall be considered winners.

Section 6. Timing Procedure. The time shall be taken from the first horse leaving the point from which the distance of the race is measured until the winner reaches the wire.

Section 7. Time Performances. Time performances shall be permitted subject to the following:

(1) A urine test or blood test or both shall be required for any horse with a winning time performance.

(2) An approved electronic timer shall be required for time performances. If there is a failure of a timer during the progress of a time performance, a time trial performance record shall not be obtained.

(3) A time trial performance is permitted during the course of a regular meeting while the regular officials are in the judges' stand. Time trial performances may be permitted by the Authority immediately prior to or following a regularly scheduled meeting if a full complement of licensed officials are in the judges' stand and if a separate list of official is provided to the Authority thirty (30) days in advance and a listing of the number of days requested.

(4) Time trial performances shall be limited for two (2) year-olds who go to equal or beat 2:10, and three (3) year-olds and older who go to equal or beat 2:05.

(5) A consignor, agent, sales organization or other person who sells or advertises a horse with a time trial record without designating it as a time trial shall be in violation of this administrative regulation.

(6) Time trial performance records shall not be included in the performance lines in a race program.

(7) Time trial performances shall be designated by preceding the time with two (2) capital T's.

(8) If a horse performs against time, another horse shall be permitted to accompany him in the performance but not to precede or to be harnessed with or in any way attached to the performing horse.

(9) A break during a time trial shall be considered a losing performance, and a losing performance shall not constitute a record.

Section 8. Penalties. (1) A person or track that violates a provision of this administrative regulation shall have committed a Category 1 violation and shall be subject to the penalty provisions set forth in 811 KAR 1:095, Section 4(1); except that a person or track that fraudulently misrepresents time or alters time in any race shall have committed a Category 2 violation and shall be subject to the penalties set forth in 811 KAR 1:095, Section 4(2). (KTC 1-8 (Rule 25); 1 Ky.R. 1116; eff. 6-11-75; Am. 7 Ky.R. 503; eff. 1-6-81; 33 Ky.R. 972; 3199; eff. 5-4-2007.)